

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF ALASKA

3 UNITED STATES OF AMERICA,)
4 Plaintiff,)
5 vs.) CASE NO. 3:19-cr-00003-RRB
6 TRISTAN GRANT,)
7 Defendant.)
8 -----)

9 PARTIAL TRANSCRIPT OF TRIAL BY COURT, TRIAL DAY 2
10 (Testimony of Ajela Banks)
11 **BEFORE THE HONORABLE RALPH R. BEISTLINE, DISTRICT JUDGE**
12 April 12, 2021; 8:37 a.m.
Anchorage, Alaska

13 **FOR THE GOVERNMENT:**

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25 Transcript Produced from the Stenographic Record

1 (Call to Order of the Court at 8:37 a.m.)

2 DEPUTY CLERK: His Honor, the Court, the United
3 States District Court for the District of Alaska is now
4 in session, the Honorable Ralph R. Beistline presiding.

5 Please be seated.

6 Your Honor, we're back on record in *United*
7 *States of America versus Tristan Grant*, Case
8 3:19-criminal-3-RRB.

9 Counsel, please identify yourself for the
10 record.

11 MR. REARDON: Good morning, Your Honor.
12 Kyle Reardon and Jennifer Ivers for the United States.

13 MR. WENDT: James Wendt for Mr. Grant.

14 THE COURT: All right. Thank you. Good
15 morning.

16 Good morning, ma'am. How are you doing?

17 THE WITNESS: I'm good. How are you?

18 THE COURT: You're still under oath, so we
19 won't swear you in again. But remember you're still
20 under oath.

21 THE WITNESS: Okay.

22 MR. REARDON: The government has a motion it
23 would like to make beforehand.

24 We would ask to reopen our direct to show the
25 witness one exhibit and ask her to attempt to identify

1 it.

2 THE COURT: Any objection?

3 MR. WENDT: No objection.

4 THE COURT: Very well.

5 DIRECT EXAMINATION

6 BY MR. REARDON:

7 Q. Ms. Banks, we asked at the end of yesterday about
8 when you were shot. Do you recall those questions?

9 A. Yes.

10 Q. Do you remember the gun that you were shot with?

11 A. Yes.

12 Q. Do you recall what it looked like?

13 A. It was like a compact, chunky, black gun.

14 MR. REARDON: May I approach, Your Honor?

15 THE COURT: Yes.

16 (Mr. Reardon approaches the witness.)

17 BY MR. REARDON:

18 Q. Ma'am, I am showing you what has been marked as
19 Government Exhibit 30. Take a moment and look at that.

20 Do you recognize Government Exhibit 30?

21 A. Yes.

22 Q. And what is Government Exhibit 30?

23 A. That's the gun I was shot with.

24 MR. REARDON: I have no further questions, Your
25 Honor.

1 THE COURT: Are you going to admit that or not?

2 MR. REARDON: We are going to admit it with a
3 subsequent witness, Your Honor.

4 THE COURT: Very good. So just to clear up for
5 the government, we had some discussions yesterday about
6 the video. I don't care what you do publicly, but if
7 it's contraband or if it involves juveniles, that's what
8 I want to have limited. Clear?

9 MR. REARDON: Yes, Your Honor.

10 THE COURT: Other than that, you're free to do
11 what you want.

12 Okay. Mr. Wendt, cross examination.

13 MR. WENDT: Thank you, Your Honor.

14 CROSS EXAMINATION

15 BY MR. WENDT:

16 Q. Ms. Banks, how are you today?

17 I want to ask you about meeting Mr. Grant. I
18 believe you said you -- you think you met him in July
19 of 2018. Is that correct?

20 A. Yes. I said, like, yeah, around that time.

21 Q. Around that time?

22 A. Yeah.

23 Q. Okay. Now, it could have been in August of 2018?

24 A. Well, yeah. Like late July. I know it was like
25 late summer. So like, yeah, we were just conversing on,

1 like, Facebook, and then it went to other social media
2 platforms and then to phone numbers.

3 Q. When did you meet him in person?

4 A. Early September 2018.

5 Q. Okay. Now, your birthday is, if I'm not
6 mistaken, in August, is it not?

7 A. Yes.

8 Q. And you would have turned 19 in August of 2018?

9 A. Yes.

10 Q. So when you met him in person, then you were
11 certainly 19, and you either were almost 19 or may have
12 been 19 when you met him by Facebook?

13 A. When I met him by Facebook, no. It was like a
14 few weeks shy of turning 19. I wasn't 19 yet.

15 Q. Did you tell him your age?

16 A. Yeah, through, like, Facebook, Facetime.

17 Q. And how did that occur?

18 A. Well, just like formal conversation, getting to
19 know each other and we were just talking. He asked me
20 how old I was. I said 18, but I have a birthday party
21 coming up. And then I talked to him about pretty much
22 what I was going to do. I had small little kickback
23 with, like, a few friends at my house.

24 Q. But he asked you how old you were and you
25 responded that you were 18?

1 A. Yes.

2 Q. Now, there came a time when you introduced him to
3 JS and KC; is that right?

4 A. Yes.

5 Q. And when was that?

6 A. He met, like -- I introduced him to JS via
7 Instagram Facetime, like, when he was in the hospital
8 for a shooting. She had hit me up on Instagram Facetime
9 and was talking to me, and that's when he was talking to
10 me about taking a trip to Fairbanks with Marika Alex.
11 And I said I -- I was kind of iffy on going because I
12 didn't want to go by myself, so I asked JS if she would
13 come with me because, like, at the time, it wasn't
14 really clear what was to be done when we got there. It
15 was just -- Marika Alex was pregnant and didn't want to
16 travel by herself on the dark roads. So I said, okay,
17 I'll invite JS. She said she didn't want to go. So
18 that was his first initial meeting with JS. He, like,
19 spoke to her, said some small words over Instagram
20 Facetime.

21 Q. Was he in the hospital at that time?

22 A. Yes.

23 Q. Okay. That would have been December of two
24 thousand --

25 A. September.

1 Q. September of 2018?

2 A. Yes.

3 Q. Okay. And then when did you introduce him to KC?

4 A. Well, I want to say like mid -- mid, early
5 October. JS was staying at my apartment, and that's
6 when she told me that she had a friend that was pretty
7 much in trouble and needed somewhere to stay. And I
8 gave her permission to come over, gave her the ground
9 rules.

10 And Tristan was on the couch at that time, but
11 when he went to the bathroom, doing something in the
12 bathroom, and when, like, KC showed up and we had our
13 conversation and everything, that's when he came out and
14 just like snatched the PlayStation from her.

15 Q. That's when he came out and what happened?

16 A. Snatched the PlayStation from her and said,
17 "We're not Indian givers."

18 Q. All right. Do you remember being interviewed
19 about that event back in -- I guess it was March
20 of 2019. Do you remember that?

21 A. March 2019?

22 Q. Oh, I'm sorry. No, January, January 25th, 2019.
23 Do you remember that interview?

24 A. I maybe think so, maybe vaguely.

25 Q. Okay. Have you reviewed any of your statements

1 prior to coming here?

2 A. It's been like a year or two. Like, no, not
3 really.

4 Q. All right. Well, let me just ask you this:
5 During that time when Mr. Grant was in the bathroom and
6 KC was over there, isn't it true that you asked KC, also
7 known as Silky, how old she was?

8 A. Yes.

9 Q. Okay. And isn't it true that she whispered to
10 you that she was 15?

11 A. No.

12 Q. It's not true that she whispered that she was 15?

13 A. No. There is absolutely no reason for her to
14 whisper. We were all standing in my living room,
15 speaking at regular tone of voices, and I was talking to
16 her about everything. And I could tell she was shaken
17 up for, like, being at a stranger's house or whatever,
18 and that's when I asked her how old she was. And she
19 was like, I'm 15. I was like, okay, you'll be safe
20 here.

21 Q. And where was Mr. Grant when this happened?

22 A. He was standing in the bathroom. But the
23 bathroom door wasn't closed, wide open.

24 Q. Okay.

25 A. Within hearing distance.

1 Q. All right.

2 MR. WENDT: Your Honor, I'd like to try to
3 refresh the witness's testimony. I'm not sure how to do
4 it. Should I approach her or should I put it on the
5 overhead?

6 THE COURT: Well, how do you want to do it?

7 MR. WENDT: I would think --

8 THE COURT: So what you have is a copy of her
9 prior statement? Is that what you have?

10 MR. WENDT: It's a police report.

11 THE COURT: Do you have an extra copy for her?

12 MR. WENDT: I do.

13 THE COURT: I don't mind if you approach her,
14 hand it to her and let her read it.

15 MR. WENDT: It's 15 pages long.

16 THE COURT: Then you can focus the part of it
17 you want her to read.

18 MR. WENDT: Okay. All right. I'll underline
19 it, Judge. Hold on.

20 THE COURT: Okay. She can read as much of it
21 as she feels necessary to respond to your question, but
22 it's good that you focus it.

23 MR. WENDT: Okay.

24 (Pause.)

25 MR. WENDT: All right. I have it here. And

1 may I approach the witness?

2 THE COURT: Yes.

3 (Mr. Wendt approaches witness.)

4 MR. REARDON: Mr. Wendt, can I just confirm
5 that this is the statement that starts Bates No. 6712?

6 MR. WENDT: Yes.

7 MR. REARDON: Okay. Thank you.

8 MR. WENDT: Page 5.

9 BY MR. WENDT:

10 Q. It's a 15-page statement, ma'am. That's the
11 front. This is page 5, with this highlighted section.
12 So I'll give you the whole thing there.

13 A. You just want me to read all of it?

14 Q. Read as much as you feel you need to.

15 Let me get back to the mic.

16 THE COURT: You should look at the first page
17 initially to remind yourself of what it's all about.

18 THE WITNESS: Okay.

19 THE COURT: And then he wants to ask you about
20 page 5. But if you feel it's necessary to read before
21 and after, that's fine as well, whatever you feel
22 comfortable.

23 (Pause.)

24 A. Okay. I remember it.

25 THE COURT: Okay.

1 BY MR. WENDT:

2 Q. Does that refresh your memory?

3 A. Yeah.

4 Q. Now, it's true, is it not, that KC whispered to
5 you while Mr. Grant was in the bathroom that she was 15?

6 A. I wouldn't say that she whispered. Like
7 honestly, I believe, like, this could have been like a
8 typo. Maybe if there was like an audio of me saying
9 those exact words. Because my memory is, no, she did
10 not whisper. There was absolutely no need to whisper.

11 And time and time again, her age was brought up.
12 When she first got there, she said she's 15. I
13 mentioned it several times. It was constantly something
14 that was brought up.

15 Q. Do you remember who interviewed you?

16 A. Yeah.

17 Q. Who was that?

18 A. It was a detective named Jessica, and then I
19 think it was the prosecutor, Mr. Reardon. And then
20 there was another detective. I don't remember who she
21 was.

22 Q. Okay. The detective was Jessica Hais, H-a-i-s?

23 A. Yes.

24 Q. Okay. You say you think the word "whispered" is
25 a typo?

1 A. Yeah. It might be. Like, maybe at the time I
2 just used that to describe it. But no, like no, she did
3 not whisper. It was very -- how I'm speaking right now
4 is how she said it.

5 And then prior to that, before she even arrived
6 at the apartment, Tristan was sitting on the couch as JS
7 was talking to me about her friend coming to stay. And
8 I said, how old was she, and she said 15.

9 So when the girl got there, I just asked her
10 myself again, like how old are you, and she said 15.
11 Like nobody was whispering. This wasn't like some
12 top-secret stuff. It was just we're talking. Like
13 there was no bad blood or nothing like that.

14 Q. But what you just told us, that's nowhere in this
15 statement, at least in the summary of the statement, is
16 it?

17 A. What? I don't understand your question.

18 Q. You just said earlier to this portion where you
19 apparently asked Silky how old she is, even though that
20 Silky had previously said how old she was on the couch.
21 Why would you ask her how old she is if she said how old
22 she was just before?

23 A. Because when -- she wasn't there in person to
24 tell me herself. JS told me prior to KC's arrival,
25 because I wanted to know, like, who's coming at my

1 house. And JS said she's 15. So when KC arrived, it's
2 only, like, natural to ask a person about their self.
3 So I just said, you know -- got to know her a little
4 bit, like what's going on with your situation. And I
5 said, "How old are you," and she said she was 15. I
6 don't see like...

7 Q. Okay. Nonetheless, it does say here that she
8 whispered she was 15. But you're now saying that is
9 incorrect?

10 A. Yeah.

11 Q. All right. Now, you testified about how you knew
12 JS and KC. You knew them both for some time; is that
13 true?

14 A. I knew JS for some time. Mid October was my
15 first time ever meeting KC. I never knew her before
16 that.

17 Q. Okay. Knowing JS -- and correct me if I'm wrong.
18 I think you said you knew JS from Whaley, McLaughlin and
19 foster care?

20 A. Yeah, and also treatment.

21 Q. What do you mean by treatment, I may ask.

22 A. Like, we were in North Star Behavioral Center.

23 Q. What behavioral center?

24 A. North Star.

25 Q. North Star. Okay. What is North Star?

1 A. It's a behavioral psychiatric institute for young
2 girls.

3 Q. Specifically for young girls?

4 A. Yeah.

5 Q. Okay. And what is Whaley?

6 A. Whaley is like a school. Like, it's an
7 alternative school for people who constantly have, like,
8 problems in normal schools or like people who have
9 learning disabilities or like, you know, problems.

10 Q. Okay. And when you say it's an alternative
11 school, but it is still a school, it's like a high
12 school?

13 A. Yeah.

14 Q. And McLaughlin is just a youth detention center;
15 isn't that true?

16 A. Yeah.

17 Q. What are the ages of people in McLaughlin?

18 A. I mean, it can start as early as, like, just from
19 when I was there, the youngest I saw ever there was,
20 like, a 12-year-old. And they can hold you up till like
21 19 sometimes. I mean, it just really depends on your
22 situation.

23 Q. Okay. So what I'm getting at here is, you knew
24 JS from school type of situations?

25 A. Well, no. I wouldn't say school type because,

1 like, we didn't always, like, hang out in school. Like,
2 it was like we'll see each other, but, like, we also
3 had, like, our own problems. So, like, at that time I
4 was in between a lot of foster homes, a lot of treatment
5 centers. She was in between treatment centers.

6 So we'll just occasionally hang out every once in
7 a while. But then we'd go on the run, so, like, nothing
8 will last. We spent the majority of our time in
9 treatment centers and juvenile centers, and that's where
10 we built our foundation of our friendship.

11 Q. Did you ever tell Mr. Grant your background with
12 JS, that is, how you knew her, where it was from?

13 A. I said I met her at McLaughlin.

14 Q. Did you tell her you knew her from Whaley School,
15 for instance?

16 A. No. I didn't see a reason to.

17 Q. Okay. From foster care?

18 A. No.

19 Q. Just from McLaughlin?

20 A. Yeah. I mean, yeah.

21 Q. Okay. And the way you and JS related to each
22 other, it was as peers, so to speak, equals?

23 A. No, like best friends.

24 Q. You're what?

25 A. Best friends.

1 Q. Best friends. Okay. But you are -- how much
2 older are you than JS?

3 A. So I'll turn 19. And then, like, my birthday is
4 in August and then JS's birthday is in July. So I'll
5 turn 19, and then I'll have to wait a little bit and
6 then she's 18. So like that. That's like a year or
7 something.

8 Q. A little over a year?

9 A. Yeah.

10 Q. All right. So it wouldn't be unusual for anyone
11 who knew you and who knew JS, if they knew you were 19,
12 who would think that JS was 19 or 18 as well?

13 A. No. I mean, I can't really give, like, a firm
14 answer on that because, I mean, you would think someone
15 who is 19 would, like, have -- be in that typical age
16 range of like 17, 18, 19, like you guys are all there.
17 I have siblings that same exact age, and we hang out.
18 So I can't really narrow down a firm answer for you,
19 like a yes or no.

20 Q. Was JS friends with KC prior to you meeting KC?

21 A. From what she told me, yeah. She said they met
22 in McLaughlin.

23 Q. Now, I think you testified that you had -- prior
24 to meeting Mr. Grant, you had worked as an escort. Is
25 that correct?

1 A. Yeah.

2 Q. And I think you testified that you did this in
3 California as well as Alaska. Is that correct?

4 A. Yeah, like multiple states.

5 Q. More than Alaska and California?

6 A. Yeah.

7 Q. What other states?

8 A. I said Colorado, Arizona, Vegas, California.

9 Q. Okay. How old were you when you started working
10 as an escort?

11 A. 15.

12 Q. Okay. And I think you mentioned, if I'm not
13 mistaken -- it caught my attention -- that in California
14 you had eight pimps. Is that right?

15 A. Yeah, around that number.

16 Q. I didn't hear what you just said.

17 A. Yeah, around that number.

18 Q. Around that number. Okay.

19 How did you get acquainted or get connected with
20 these pimps?

21 A. Through foster care. Originally started in,
22 like, Alaska. I had a foster mom who had, like, sons
23 and stuff who were already in sex trafficking business.
24 I was just never exposed to that kind of lifestyle
25 growing up with my parents. So, like, being put into

1 foster care and being introduced to that, I was like --
2 I didn't know what it was. Like, they would try to like
3 put me on Backpage and stuff like that, but I couldn't
4 grasp, like, doing dates or anything like that.

5 So when I ended up going out of state with my mom
6 and we got into some kind of arguments, I was approached
7 by a few guys. And I -- we weren't raised in my family
8 to, like, correspond with other people besides our
9 family, so I had a lack of social skills completely. So
10 he just started speaking really fast and I just became,
11 like, really scared at first. And there was, like,
12 attempts for me to go back to my mom and, like, hide out
13 and stuff.

14 And then I met a guy who was friends with
15 Bobby Thompson, one of my foster moms', like relative,
16 family connected-wise. And I know for some time
17 Bobby Thompson was trying to, like, get me to engage in
18 sex acts when I was in Alaska. But I managed to get
19 away from him.

20 So from there, it just became -- I got hooked up
21 with one. And at first it was just, oh, we're just
22 friends, we're just going to hang out. And they didn't
23 allow me to go back to my mom. And my mom made efforts
24 to try to find me, and then she just went back to Alaska
25 and I ended up just getting pretty much passed around.

1 Q. Going back a little, Bobby Thompson was a foster
2 parent; is that right?

3 A. No. I said he was like a blood relative of a
4 former foster mom of mine.

5 Q. That was a male, not a female?

6 A. Yeah, female.

7 Q. Bobby Thompson.

8 A. No. Bobby Thompson is a male.

9 Q. Male. Okay.

10 A. His family member is a female.

11 Q. All right. All right. So you started doing sex
12 work when you were 15 as a result of being in foster
13 care in Anchorage, Alaska?

14 A. Yes.

15 Q. Okay. And then you went to other states and fell
16 into it in California, Las Vegas, Colorado. Is that
17 true?

18 A. Yeah. Well, I wasn't really like fell into it
19 like I had a passion just want to do it. It was like a
20 survival thing. Like, I didn't know anything about
21 these states. I never, like, engaged in stuff like
22 that. So when I couldn't find my mom, it's just like I
23 found myself having to like feel that I was indebted to
24 these people or was like, I can't run away because I
25 don't know anything. I can't go seek help anyplace,

1 like that. I didn't actually just do it until I
2 turned 18. From 15 to 18, I just did it as, like, oh, I
3 have to or, you know, I wouldn't be able to see my mom.
4 If I make enough money, then maybe they'll buy me a
5 ticket back to my mom, stuff like that.

6 And then when I turned 18, I finally just managed
7 to, like, run away from one of my traffickers to another
8 state and caught police attention. And that's when I
9 paid to bring myself back here. And I wanted to leave
10 the lifestyle alone. And there was, like, maybe two or
11 three kind of situations, but it wasn't my priority.
12 Like, it wasn't in my face every day like it was in the
13 States.

14 Q. Okay. But you say you came back here, and there
15 were two or three situations when you engaged in sex
16 work to get money?

17 A. Yeah. Like, yeah. But out here, it's just like
18 guys looking for somebody to go on an RV trip with them
19 to Soldotna or something like that, so just like go with
20 them.

21 Q. And how would you get connected with these guys?

22 A. Well, when I came up here -- because in the
23 States, like, I was, like, taught to just be like a
24 streetwalker. So I just worked, like, the street. I
25 didn't get into the internet aspect of it until I came

1 to Alaska. When I got here, I was in Plenty Of Fish,
2 like this dating app, hookup site, where you meet
3 friends or whatever, and I met this guy. And he had
4 traveled from California, just was up here looking to
5 recruit girls. And I was talking to him, and then I
6 sent him pictures thinking it was just me and him
7 engaging in, like, some sex thing. And he made me an
8 account on the Skip The Games, and he was like, oh,
9 there's people hitting your phone, blah, blah, blah.

10 And I freaked out and I told the detective that
11 was, like, helping me at the time get out of the
12 lifestyle that this was happening. And then, like, the
13 detective, like, I don't know, he didn't really do
14 anything about it. So I was just like fine, one or two
15 numbers I'll respond to. But I cut the guy off who
16 thought he was going to pimp me, and I just, like,
17 blocked him.

18 Q. Okay. All right. Now, it sounds to me, having
19 done this from 15 until 18 or 19, you have become fairly
20 streetwise. Is that fair to say?

21 A. Yeah. But there's like still, like, a lot to
22 learn. Yeah.

23 Q. Okay. In addition to being streetwise, you
24 become more independent as well; isn't that true?

25 A. Yeah. You definitely develop a sense to want to

1 keep your independence, yeah.

2 Q. Okay. Because I think you mentioned that when
3 you fell into this at 15, you were kind of caught, but
4 eventually you got strong enough that you just left.
5 Isn't that right?

6 A. Yeah. Became, like, more -- I adapted to my
7 environment.

8 Q. Okay. Now, it's true, is it not, that you
9 engaged in sex work along with JS prior to meeting
10 Mr. Grant?

11 A. No.

12 Q. Are you saying JS didn't engage in any sex work
13 prior to meeting Mr. Grant?

14 A. When you say "sex work," are talking about like
15 we engaged in sex work where we got paid or just like
16 sex work just for pleasure?

17 Q. Where you got paid.

18 A. No. No. She didn't even, like, really know that
19 I was even involved in that lifestyle. Like, before I
20 even left Alaska, like no. It wasn't something that we
21 even talked about, like no. When I went out of Alaska,
22 like rumors spread to like some of my mutual friends and
23 it got to her, and they just started, like, talking
24 about it, "Oh, Ajela, is escorting," blah, blah, blah.
25 But no, we never engaged in anything like that. No.

1 Q. Now, you actually had a relationship with
2 Mr. Grant, did you not?

3 A. That's what I thought, yeah.

4 Q. Okay. You say, "That's what I thought." Did
5 there come a time when you decided that you didn't have
6 a relationship?

7 A. Yeah.

8 Q. When did that occur?

9 A. I would say, like, maybe the third week of us,
10 like, actually being together; me just like starting to
11 watch him and see like he wasn't measuring up to
12 anything that he told me about himself prior to me
13 meeting him, just like the way he would just like want
14 to see other women and just like be so quick to be
15 degrading and stuff towards me and just -- no.

16 I never had a boyfriend before, so I was going
17 off, like, TV, like, okay, this is how a boyfriend is
18 supposed to be. And then he was just, like, acting too
19 much like pimps and I was like, okay, he's, like, trying
20 to trick me and become like a simp.

21 Q. Okay. You say the third week. So this would be
22 when? October? November?

23 A. This would be like September, when he got shot
24 and I did that trip to Fairbanks for him.

25 Q. Now, you have a child together, do you not?

1 A. Yes.

2 Q. And you don't have to give me the exact birthday.
3 But when, approximately, was the child conceived?

4 A. I don't even know, like I said.

5 Q. Well, when was the child born, then?

6 A. July 24, 2019.

7 Q. July 24, 2019.

8 A. Uh-huh.

9 Q. And was it a normal-term birth?

10 A. I mean, yeah. She was a little bit late.

11 Q. All right. Did you have any kind of relationship
12 with Mr. Grant, at least emotionally, at that time?

13 A. Yeah.

14 Q. Okay. And how would you describe your
15 relationship emotionally with Mr. Grant at that time?

16 A. It was one-sided.

17 Q. One-sided meaning?

18 A. It was all me. I was like -- I found myself -- I
19 fell in love with him, and he just wasn't on that
20 aspect. It was never reciprocation. He never said
21 those words "I love you" until he ended up in jail for
22 shooting me. That's when it really sealed the deal that
23 this was all fake.

24 Q. Okay. He ended up in jail for shooting you.
25 Wasn't that in December of 2018?

1 A. Yeah.

2 Q. All right. So emotionally, when did you finally
3 decide, I'm cutting this guy loose, I don't want to have
4 anything to do with him anymore? When did that occur,
5 if it has occurred?

6 A. I mean, there was attempts for me to cut him
7 loose early on, like sent him text messages saying
8 you're not allowed to come back here, blocking his
9 number, like not allowing him access back to the
10 apartment. But it was just always failed attempt, where
11 I'm like, okay, I should give him a chance because I
12 want somebody to give me a chance.

13 So it was just up and down, but he would always,
14 like, find some way to, like, come back into the
15 picture. So I'm like, okay, well, I just can't
16 completely cut him off.

17 And I wouldn't say I became, like, emotionally
18 attached until, like, maybe just this past year of being
19 able to just be away from him and not be under, like,
20 any of his control, emotional, mentally. Like, I wasn't
21 even thinking for myself. Like, I just felt like a
22 vessel. And after being away from him for so long, I
23 got a chance to recenter myself and go through
24 everything and process in treatment and stuff like that,
25 and it helped me.

1 Q. So you're talking about being under his control.
2 When did that end for you emotionally?

3 A. Just this late past year.

4 Q. Late 2020?

5 A. Yeah.

6 Q. Now, you have testified about getting in fights,
7 physical fights, with Mr. Grant?

8 A. Yeah.

9 Q. Did you ever seek medical treatment as a result
10 of these physical fights?

11 A. I mean, no, besides getting shot. No. It was
12 like something I could patch up at home or have my mom
13 take care of.

14 Q. Okay. Now, you mentioned when you got shot there
15 was a witness there. What was that witness's name?

16 A. Lance Palmer.

17 Q. Lance Palmer.

18 Now, you and I have spoken before, haven't we?

19 A. Yeah.

20 Q. What were the circumstances of you and I speaking
21 before?

22 A. Wait. I don't understand your question.

23 Q. You and I have spoken before?

24 A. Yes.

25 Q. How did that come about?

1 A. Well, because when I talked to Tristan's sister,
2 because I'm thinking we should have a good relationship
3 because my daughter may potentially be placed with her,
4 so I wanted for us to be in good standing in case, like,
5 for whatever reason, they feel I'm responsible for, you
6 know, Tristan coming to terms with whatever happens to
7 him. So I would talk to her, and she was like, oh,
8 yeah, Tristan said his attorney is supposed to be coming
9 to see you, he's supposed to be coming to talk to you
10 and question you. It just kept coming up.

11 And then Tristan even went at one point, I think
12 in a letter, and was like, uh, you know, get in touch
13 with my lawyer, JS just called him and did an interview.
14 And I'm like, oh, God. He obviously feels there's some
15 way I could still help him, even though the evidence,
16 everything is just clear and cut.

17 So I called the PO's office to, like, find out
18 because you weren't getting in touch with me. I didn't
19 know who you were. So I called the PO's office. He
20 told me who his old attorney was. I called his old
21 attorney. Old attorney just pretty much told me, like,
22 he's not working for Tristan anymore and here's the new
23 information.

24 So I called you with the hopes and understanding
25 to get a better understanding of just what Tristan

1 thought I could do to help him, and to just, yeah,
2 pretty much see what it was and why he just thought that
3 I would go that far to -- yeah, yeah, that's why I
4 contacted you.

5 MR. REARDON: Your Honor, maybe we approach?

6 (Begin bench conference.)

7 MR. REARDON: I want to inquire because at this
8 time my understanding is that Ms. Banks is represented
9 by Ms. Norris, and I'm concerned that Mr. Wendt is
10 talking about contact for a represented party, and it
11 seems to be that maybe there was some discussion about
12 her contacting him. But I'm concerned about any
13 testimony that may have been obtained in violation of
14 her right to have her appointed attorney present because
15 I believe we're talking about a matter that Ms. Norris,
16 who is in the gallery, would have represented her on.

17 THE COURT: What's your response?

18 MR. WENDT: My response, I think that will all
19 be cleared up in short order.

20 THE COURT: Are you going to do anything that
21 infringes on this other relationship?

22 MR. WENDT: Well, these are my notes of that
23 call, and you can read the notes.

24 THE COURT: Counsel.

25 (Pause.)

1 MR. REARDON: Okay.

2 MR. WENDT: Would the Court like to see?

3 THE COURT: No.

4 Are you okay with it?

5 MR. REARDON: I'm okay with it, yes, Your
6 Honor.

7 MR. WENDT: There was other discussion, but I
8 made it clear.

9 MR. REARDON: Okay.

10 (End bench conference.)

11 BY MR. WENDT:

12 Q. Ms. Banks, when did Mr. Grant tell you to call
13 his attorney?

14 A. It started early 2020. Like, his sister, she
15 would pass the message for him when I would call her.

16 Q. Okay. Now, getting back to your call to me.

17 It's true, is it not, when you called me, the
18 first thing -- one of the first things you asked me is,
19 "What can I do to help Tristan?"

20 A. Yes.

21 Q. Okay. It's true, is it not, that I was
22 relatively new to the case and I didn't know who you
23 were for a while? Isn't that true?

24 A. Yes.

25 Q. Okay. All right. And then once you gave me your

1 full name and you described who you were, it's true that
2 I said, "I'm not able to call -- talk to you because
3 you're already represented by an attorney"?

4 A. Yes, like some more comments to it.

5 Q. Say it again.

6 A. I said, yes, but there was like a little bit more
7 comments to it. I mean, I did kind of push to still get
8 you to talk, but, I mean, eventually you relented, but
9 not so heavily to just, like, give me a full capture of
10 what -- give me a full answer of what I was hoping for.

11 Q. Okay. You say eventually I relented. But you
12 had -- once I figured out who you were and I said,
13 "You're already represented," you told me you were
14 represented by Attorney Natasha Norris; is that correct?

15 A. Yeah.

16 Q. And you told me that you were dissatisfied with
17 her at that point in time?

18 A. I said we were having problems, yeah.

19 Q. And my advice to you, if you want to call it
20 advice, was just, write the judge, I can't get involved
21 in that, you write the judge, it will probably be put on
22 for some type of hearing, I can't talk to you anymore.
23 Isn't that true?

24 A. Yeah.

25 Q. But the purpose of your call -- and I have down

1 here it was January 5th of 2021.

2 A. Yeah.

3 Q. The purpose of your call was to see if you could
4 help Mr. Grant?

5 A. Well, not really. I mean, that's what I said.
6 It goes back to what I said earlier. I asked you that
7 because I felt that what was being related to me from
8 Tristan's sister and from Tristan in a few letters was
9 you need to contact my attorney because there's
10 something you can do to help me. And I just wanted to
11 know what he thought it was, so, yeah, I asked you that.

12 Q. But you didn't ask me, what does Tristan think I
13 should be doing. You just said, "What can I do to help
14 Tristan?"

15 A. Yeah.

16 Q. Okay. So when that call ended, you called me
17 again, did you not?

18 A. Yeah.

19 Q. And then, actually, you called me at least two
20 times, if not three times, after that call; isn't that
21 true?

22 A. Yeah.

23 Q. Didn't it come to a point where I just hung up on
24 you when you would call?

25 A. You never hung up on me. You got just very short

1 and blunt with me. I think that came -- the last call I
2 put in to you was when Tristan made his escape attempt.
3 And I was really eager to see, like, what's going on,
4 and I called you and you answered and you were like --
5 I'm like, are you still on the case, and you said, "Yes,
6 I'm still on the case." And you hung up the phone then.

7 Q. Okay. All right. But as far as conversations we
8 had about the case, none of these subsequent calls led
9 to anything whatsoever, right?

10 A. It just -- let me think.

11 The only thing I learned from it was that you
12 were still going to try your best to try to push for him
13 to get a better deal, and that Tristan was absolutely
14 firm on going to trial.

15 Q. I said that?

16 A. Yeah.

17 Q. All right.

18 A. I was like, "Didn't they offer him, like, ten or
19 something like that?" And you were like, "Oh, he
20 doesn't want to take that so I'm going to keep pushing
21 for a better deal." And I was like, "Okay, well, maybe
22 it should just be in his best interest to, like, plead
23 out." You were like, "Oh, I'm still trying on that, but
24 he's really set on going to trial."

25 Q. Didn't you, on these subsequent calls -- I'm not

1 trying to drive a wedge between you and your attorney.
2 But you kept complaining to me about your attorney;
3 isn't that true?

4 A. Yeah, because --

5 MR. REARDON: Objection; relevance.

6 THE COURT: Sustained.

7 BY MR. WENDT:

8 Q. But I did give you, as far as your relationship
9 with your attorney, all I told you was, write the judge.
10 Isn't that true?

11 A. Yeah. Yeah.

12 Q. All right. So I want to ask you some questions
13 now about these videos.

14 One of these videos we saw was where there was
15 almost like a very amateurish movie being made with
16 Mr. Grant and with you and JS; is that correct?

17 A. Yeah.

18 Q. Okay. Who was the videographer for that?

19 A. It alternated between me -- wait.

20 When you say "videographer," you mean like who
21 held the camera --

22 Q. Yeah. Who held the camera?

23 A. -- who directed it?

24 Q. I'm sorry. What's the next one?

25 A. Do you mean who held the camera or who directed

1 it?

2 Q. You had a director? Okay. Both.

3 A. Well, then that's like all of us, because then
4 sometimes -- the main person who held the camera was
5 Mary, and then when the camcorder died, then me and JS
6 alternated cell phones. And then, like, Tristan was
7 like, oh, get this angle or some from over here, oh,
8 like, hold it like this.

9 Q. So Mary was holding the camera and Tristan was
10 giving some directions?

11 A. Yeah.

12 Q. Who is Mary?

13 A. Mary Rossler is like a former friend of me and
14 JS's from treatment in McLaughlin.

15 Q. All right. Was Ms. Rossler involved in any sex
16 work?

17 A. Not that I know of. I mean, no.

18 Q. Okay. Did Mr. Grant have any relationship with
19 Ms. Rossler?

20 A. Not to my knowledge, no.

21 Q. Okay. It's true, is it not, that he didn't make
22 any attempt to have Ms. Rossler do sex work?

23 A. No. I think two is enough.

24 Q. Two is enough. Okay.

25 When you were involved with people in California,

1 Las Vegas, Colorado, would you describe that as sex
2 trafficking?

3 A. Yeah.

4 Q. Okay. And people -- I think you mentioned you
5 had eight pimps?

6 A. Close to that, yeah.

7 Q. In California?

8 A. Yeah, in that range.

9 Q. And it's true, is it not, that generally
10 speaking, a pimp would have far more than two females
11 working for him?

12 MR. REARDON: Objection, Your Honor.

13 THE COURT: On what basis?

14 MR. REARDON: If the question is what is her
15 experience. But if she's being asked to give an expert
16 opinion, that would be improper.

17 MR. WENDT: I'm just asking her about her
18 experience.

19 THE COURT: Okay. Based on your experience.

20 MR. WENDT: Your experience with these
21 individuals, didn't they generally have more than two
22 people?

23 THE WITNESS: I mean gorilla pimps would have
24 more than two people. But an average everyday pimp
25 would just have like, the most, three girls or sometimes

1 two girls. I've just been where it's just been me and
2 three girls. I found myself with, like, five other
3 females, but that was like a heavysset pimp who, like,
4 dedicated his life to that.

5 Q. Were you ever involved with a gorilla pimp?

6 A. Yeah.

7 Q. How many girls did that person have?

8 A. He had like five.

9 Q. Five. Okay.

10 Have you ever gotten involved in sex work without
11 having a pimp?

12 A. Yeah.

13 Q. Okay. When was that?

14 A. That was, like, as soon as I turned 18 in
15 California and I went to jobs. So like the pimp I was
16 with, he didn't know my name so, like, he couldn't find
17 out where I went. If he did, I would have just been
18 back with him. But he didn't know my name, so I took it
19 as a clean start. I got out. I had to work a little
20 bit to make some money to get back to Alaska, and then
21 came back because I made enough money to get back here.

22 Q. And how did you get -- shall I call them dates?
23 Did you do that -- was it streetwalking? Putting ads on
24 Craigslist?

25 A. No. It was streetwalking.

1 Q. Streetwalking.

2 But you have, on occasion, put ads on social
3 media for sex work, have you not?

4 A. Social media?

5 Q. Well, I don't know what you call it, Craigslist
6 or Backpage or these other things. I don't know what
7 they are.

8 A. When I got to Alaska, yeah, skipthegames.com and
9 AdultLook.

10 Q. I'm sorry. You skipped games?

11 A. Yeah. And AdultLook. The escorting sex sites,
12 like the new Backpage.

13 Q. Skipped Games is a website. Is that what you're
14 saying?

15 A. Yeah. Skip The Games, yeah.

16 Q. Okay. Skip The Games. And the other one is
17 Outlook?

18 A. AdultLook.

19 Q. AdultLook.

20 So you would have put ads on those?

21 A. Yeah.

22 Q. For yourself?

23 A. Well, the person that I met when I came back to
24 Alaska Plenty Of Fish, he posted me an ad and said it
25 was up there for like 30 days. I still didn't know how

1 to like go back and put more money on it. I just used
2 it until it didn't work anymore, until the numbers
3 stopped hitting my phone. And that's when I picked up
4 my job at JC Penney's and the fish counter. So I just
5 pretty much left it alone.

6 Q. You're losing me. You picked up what at
7 JC Penney's?

8 A. My job.

9 Q. Oh, you're job. Okay.

10 It's the masks really makes is a little bit hard.
11 It's okay.

12 So you did put ads on Skip The Look [sic] and
13 AdultLook until you eventually got a job at JC Penney's
14 and you stopped doing that?

15 A. I didn't post my own ad at that time. I was
16 going off of the guy who tried to pimp me when I came to
17 Alaska. He was a pimp who was out here recruiting
18 women. I sent him sexual pictures just for him, and he
19 put them on Skip The Games with the hopes that I would
20 work for him and with his bottom bitch and go to Miami.
21 And I cut it loose.

22 But at the time, my ad was still up there. Once
23 you're posted, you're up there for 30 days unless you
24 have the account information to deactivate.

25 From that 30-day mark, I still had numbers

1 hitting my phone. When it ran out, there was a few
2 regulars I managed to keep, and that's it. And I went
3 and got a regular job. I didn't repost myself and
4 really get into educating myself about AdultLook and
5 Skip The Games until I met Marika Alex when we went on
6 our trip to Fairbanks. And that's when she walked me
7 through how to do it with the card and everything like
8 that. And from there, I started using it, which was
9 September 2019.

10 Q. Okay.

11 A. 2018. Yeah, 2018.

12 Q. You said a few things that -- I'm just getting
13 old I guess.

14 She taught you how to use the card?

15 A. When you go to make an account on those sex
16 sites, you need, at the time was an Apple card or an
17 Amazon card, and then you have to keep the receipts and
18 the number on the back. So you got to type the numbers
19 into, like, this one little engine and then, like, build
20 your page.

21 And, yeah, I never got into all that until she
22 showed me how to do that. She posted an ad when we were
23 in Fairbanks.

24 Q. Okay. How long have you known Marika?

25 A. It was my first time ever meeting her when Grant

1 got shot and was in the hospital, and I was in there
2 with him and she came in pregnant.

3 Q. Okay. All right. So she taught you how to use
4 these cards to post ads; is that right?

5 A. Yes.

6 Q. And you mentioned something about having a pimp
7 here before that time, who wanted you to work with his,
8 quote, "bottom bitch." Did I hear that correctly?

9 A. Yeah. He wasn't my pimp. It was just a guy that
10 I met on Plenty of Fish. And we started talking, and he
11 told me he was from California. He was out here, like,
12 visiting. He never mentioned that he had another bitch.
13 I was still trying to get a feel for him. So -- when I
14 met him at -- he paid for me to come to a hotel
15 downtown, and when I got there, he was like, no, we
16 can't go upstairs yet. And I was like, okay, just still
17 getting to know him.

18 We went upstairs, and that's when I seen another
19 girl. I was like, no, we're not doing this. She gave
20 him some money and then, like, he got, like, angry at me
21 and, like, they both just decided to fight me because I
22 said I was going to leave.

23 And then I just ended up still leaving, and I
24 went to -- I was staying at a sex trafficking safehouse,
25 and I went and told the owner who was there what

1 happened, and she told me to tell the detective. And I
2 told the detective, and then I stopped talking to the
3 guy.

4 He was not my pimp. He had hopes to become my
5 pimp. When I found that out, I stopped talking to him.

6 Q. You say you went to a sex trafficking safehouse?

7 A. Priceless.

8 Q. This is in Fairbanks?

9 A. No. This is in Anchorage.

10 Q. The name of this safehouse is Priceless?

11 A. Yeah. They're an organization that helps women
12 from, like, sex trafficking, domestic violence.

13 Q. And you also mentioned a website called Plenty of
14 Fish. Is that the same thing as Skip The Look [sic] or
15 AdultLook?

16 A. No. It's a dating app. It's supposed to be a
17 dating app. Most people use it for, like, hookups.

18 Q. Okay. All right.

19 And these others, like Skip The Look [sic] and
20 AdultLook, are --

21 A. Those are actual -- that's the new Backpage.

22 Q. So is it your testimony, then, that you were
23 Mr. Grant's bottom?

24 A. Absolutely not. No. I would say that had to be
25 Marika Alex because they were together way longer, three

1 years, and then, like, she pretty much supervised
2 everything. Like, no. Like, she says something, then
3 he, like, carried out what she says. Like, no. I never
4 made it to being his bottom bitch because I didn't want
5 to -- no. I wasn't putting myself in that lifestyle at
6 the time. I was looking for a boyfriend, not a pimp.

7 Q. Okay. So you did do -- in addition to JS and KC,
8 you did do some sex work in 2019; is that correct?

9 A. No. I think that's at the time the feds got
10 involved and everything was all busted up and I was
11 pregnant on house arrest, yeah.

12 Q. How about in late 2018?

13 A. Are you talking about before I got shot?

14 MR. REARDON: Objection, Your Honor.

15 Q. Yes.

16 THE COURT: Yes.

17 MR. REARDON: Rule 413 prohibits evidence of
18 sexual activity outside of the charged range if it's not
19 relevant under either the charges or there's a
20 constitutional basis to admit evidence of a victim's
21 prior sexual history, and I would ask that any testimony
22 relating to her work after the charged period -- and in
23 this case we've talked about December 12th, but it's
24 charged until December 1st -- would be prohibited by
25 Rule 413.

1 THE COURT: Mr. Wendt?

2 MR. WENDT: Your Honor --

3 (Pause.)

4 MR. WENDT: Your Honor, I'm just trying to
5 establish that this person was doing sex work away from
6 my client, and my client should not be held responsible
7 for the sex work that she did. That's all I'm trying to
8 establish.

9 THE COURT: Okay.

10 MR. WENDT: So I'm just asking her, did you do
11 sex work in late 2018.

12 THE COURT: You can answer that "yes" or "no."

13 THE WITNESS: Well, in late 2018, I was still
14 with Tristan, until December 12th. That's when he went
15 away. And I wasn't doing any sex work.

16 January 18th, I wasn't doing any sex work from
17 December 12th, to where he left, all the way up until
18 like January 18th of 2019. I was still recuperating
19 from the bullet wounds. And I still had people hitting
20 my phone, wanting dates, but I didn't have enough energy
21 to do it. So then rent was getting closer and I got one
22 number who asked me for a date, and so I said, okay,
23 fine, I'll just go and do it. And when I went out to do
24 it, it was the marshals who arrested me. I attempted,
25 but it wasn't actual date. It was a setup by the

1 marshals to arrest me.

2 So from the time that he left, December 12th,
3 no, I didn't engage in any more. I attempted one date
4 and it didn't go through.

5 BY MR. WENDT:

6 Q. But from the time Mr. Grant got to Alaska --

7 A. He got to Alaska early September. Yes, I was
8 doing sex work.

9 Q. But it's true that he himself was shot the day
10 after he got --

11 A. Well, yeah, because that's because he had, like,
12 some stuff going on with his life. That's nothing with
13 me.

14 Q. Okay. From the day that Mr. Grant got to Alaska,
15 forward to the end of the year, did you do any sex work?

16 A. Yeah.

17 Q. Okay. Assuming you made some money from that,
18 what did you do with that money?

19 A. I gave it to Tristan. What I could smuggle, I
20 paid for expenses to keep the apartment and help take
21 care of my mom.

22 Q. And how were you getting those dates? It's okay.
23 I keep calling them dates. Is that okay?

24 A. Yeah, that's what they are.

25 Q. Okay. How did you get those dates?

1 A. Online until -- yeah, online until I started
2 working at the strip club.

3 Q. Okay. And who put the online ad?

4 A. At first it was Marika, and then I took over and
5 started refurbishing myself because I had a daily quota
6 to make.

7 Q. It's true, is it not, that Mr. Grant never put
8 any ads online?

9 A. No.

10 Q. You say he did put ads online?

11 A. I'm saying, no, he never put any ads online.

12 Q. Now, you were living with him, I think you said
13 somewhat as boyfriend/girlfriend, at least for a period
14 of time?

15 A. That's what I thought. He was living with me.

16 Q. I want to ask you about the video we saw at the
17 Popeye's drive-through. Who was in the car when that
18 video was taken?

19 A. Tristan, JS, and me.

20 Q. Who was driving?

21 A. Tristan.

22 Q. Who was seated in the front passenger seat?

23 A. Me.

24 Q. So Tristan was driving, you were in the passenger
25 seat, and JS was in the back seat?

1 A. Yeah.

2 Q. And you went to -- it was Popeye's; is that
3 right?

4 A. Yeah.

5 Q. All right. And you took this video yourself with
6 your phone; is that right?

7 A. Well, yeah, because I was sitting in the
8 passenger seat and, like I said, that's when he made a
9 derogatory comment, trying to piss me off. And I said,
10 "Have one of your funny-looking bitches suck your dick."
11 And he was like, all right, JS. And so JS did it, and
12 he was like, "Record it, record it," and I brought out
13 my phone.

14 I was trying to act numb, like it wasn't hurting
15 me, just like whatever, go along. If I let him know
16 that it pisses me off, then, yeah, yeah, whatever.

17 Q. When was this video taken?

18 A. I want to say like November 26th or, like, maybe
19 a few days before that, in that range. Within the same
20 week that we were at the hotel.

21 Q. Do you know where KC was at this point in time?

22 A. Jail.

23 Q. Okay. So she was not available; is that right?

24 A. Yeah.

25 Q. Now, I think you just testified that you don't

1 consider yourself to have been Tristan's bottom. Is
2 that correct?

3 A. Yes.

4 Q. You do consider Marika to have been his bottom?

5 A. Absolutely.

6 Q. Why do you say that?

7 A. Because, I mean, she's the one, at the end of the
8 day, it was -- he was like -- if I would, like, try to
9 make any comments toward her, that's where we would have
10 like the biggest physical fight, is because I made a
11 comment towards her. And I'm like, are you saying you
12 guys aren't together, like what's going on. She was,
13 like, supervising the money, and the, like, you should
14 just play her like this.

15 And then, like, when I'm not around him, she's
16 like supervising me and calling and texting him and
17 telling him what I'm doing. So then when I got back
18 with him, he wants to, like, try to hit me or something
19 and be like, "I know you did this or that." It's
20 because she's telling him. And that's the role that
21 bottom bitches take, from my experience. They tell on
22 the other ones and they teach you the ropes, and then
23 they pretty much get a cut from everything you make and
24 they're telling their pimp daddy, whatever, what to do,
25 so.

1 And then all his stuff, at one point he was just
2 taking it over there, like just living over there, but
3 having a backpack or two at my house. Like, no. You
4 tell her just like -- yeah.

5 Q. Isn't it true that you told KC at one point in
6 time that you didn't have to give Tristan any money?

7 A. No, I didn't tell her that. I don't recall
8 saying that. I never even told her what I had to do
9 with Tristan.

10 Q. Do you still have the statement I gave you in
11 front of you?

12 A. Yeah.

13 Q. Okay. Turn to page 2, if you would. If you look
14 towards the bottom of the page, not the very bottom
15 paragraph, the one above it. It's only three lines
16 long. Can you read that to yourself?

17 A. Yeah.

18 Q. Okay. Does that refresh your memory?

19 A. That's not me telling her that I have to give
20 money to Tristan. I'm telling her, yeah, even though he
21 asks you for money, you don't have to give him anything,
22 like don't feel it's your responsibility to pay him.
23 That's what I was telling her.

24 Q. That's what I just asked you. I thought I just
25 asked you, isn't it true --

1 A. Okay. Well, I didn't understand your question.
2 I apologize.

3 Q. So isn't it true, you told KC she doesn't have to
4 give Tristan any money?

5 A. Yes.

6 Q. Now, it's true, is it not, that you were involved
7 in sex work for many years before meeting Mr. Grant?

8 A. Yes.

9 Q. And it's true that that continued for a period of
10 time after meeting Mr. Grant?

11 MR. REARDON: Objection; asked and answered and
12 misstates her previous answer on that question.

13 THE COURT: I think it was asked and answered.
14 Are you summarizing, or what's going on?

15 MR. WENDT: Yeah, I'm summarizing, Judge.

16 THE COURT: Okay. Go ahead.

17 BY MR. WENDT:

18 Q. Isn't it true that meeting Mr. Grant had nothing
19 to do with you performing sex work? I mean, this is
20 something you'd been doing for a long time?

21 A. Meeting him is what brought it back up and made
22 it like a priority because, like, before I met him, like
23 I said, all my, like, pretty much regulars, I weren't,
24 like, really talking to anymore. I was getting into the
25 regular flow of life. I was in school. I was going to

1 the canneries. I wasn't really on it. But when he came
2 back, it's like, oh, you have to get back into it, you
3 have to -- I didn't have to meet quotas. I just made
4 enough money to take care of my rent and take care of my
5 essential needs and take care of my mom. But when he
6 came, I have to make money because there's some bigger
7 picture that has to be fulfilled.

8 So that's my answer.

9 Q. Isn't it true that Mr. Grant has denied many
10 times, in speaking with you and texting with you, that
11 he was a pimp?

12 MR. REARDON: Objection; impermissible hearsay,
13 Your Honor.

14 THE COURT: Sustained.

15 MR. WENDT: I have no further questions.

16 THE COURT: Redirect?

17 MR. WENDT: Hold on.

18 THE COURT: Okay.

19 (Pause.)

20 BY MR. WENDT:

21 Q. Very quickly, I did miss something on the
22 statement you gave on page 5. If you could look at that
23 again.

24 On page 5, could you look at page 5 again, that
25 statement I gave you?

1 A. Yes.

2 Q. Now, I'd asked you about the whispered portion.
3 Read the -- after "whispered 15," period, read the next
4 seven words to yourself.

5 A. Okay.

6 Q. Does that refresh your memory about what
7 happened?

8 A. Yeah. I think you're confusing the two. I
9 already said the whispered part. That has to be a typo
10 because I don't know why that's there. I wouldn't
11 describe it as she whispered because that's not what she
12 did.

13 As far as to the neighborhood, I'm talking about
14 to my neighbors who are like big-time drug dealers. I'm
15 not talking about to the people living in the apartment.
16 There is no reason to lie to us because I didn't see us
17 as a threat to her. But I said, like, if you were to
18 meet, like, my neighbor at the time, gorilla, was just
19 so nasty, I'm like, just tell him you're like 18, 19, so
20 he won't start messing with you and trying to -- messing
21 with you and stuff like that. So as a precaution, not
22 like -- not to anybody in the apartment, no.

23 Q. Okay. But you did tell KC to lie about her age?

24 A. Yeah, to other people.

25 Q. It doesn't say to other people, it just says you

1 told her to lie about her age?

2 A. Well, it doesn't also say who I told her to lie
3 about her age to.

4 Q. Isn't it true that you had denied that you were
5 required to give Mr. Grant money?

6 It's not on that statement you're looking at.

7 A. I never denied that. I don't recall saying
8 anything like, oh -- yeah, I don't remember saying that.

9 Q. Okay.

10 MR. WENDT: Your Honor, I have another report
11 here. It's not in the possession, I don't believe, of
12 the government. They may have it. Can I show it to the
13 U.S. attorney?

14 THE COURT: Show it to the government first.
15 (Pause.)

16 MR. WENDT: May I approach the witness?

17 THE COURT: Do you have an extra copy there?

18 MR. WENDT: I do not.

19 THE COURT: So -- okay. You're going to have
20 to share with her. Is that what you're telling me?

21 MR. WENDT: Apparently.

22 THE COURT: Okay. Go for it.

23 (Mr. Wendt approaches the witness.)

24 BY MR. WENDT:

25 Q. All right. I'm just going to show you this

1 report. I'm not asking you to read the whole thing, but
2 take a look at the front page.

3 THE COURT: Okay. You're not near a
4 microphone.

5 BY MR. WENDT:

6 Q. Can you identify in general what that is?

7 A. It's an assault call.

8 Q. Well, it's a police report.

9 A. Oh, yeah, police report.

10 Q. All right. If you just turn to page 2. In the
11 middle there, you see a couple lines that are
12 underlined?

13 A. Uh-huh.

14 Q. Could you read those to yourself.

15 A. Yeah.

16 Q. Okay. Now, I'm going to ask you again, isn't it
17 true that at least at some point in time you denied
18 having to give Mr. Grant money?

19 A. Yeah. From this report, yeah.

20 Q. From what?

21 A. From what this report says, yeah.

22 Q. But I'm asking you whether it's true that you
23 said that.

24 A. Well, I mean, that's how it's typed, so clearly,
25 yes, I said that, for them to punch it in like this.

1 But still at this time, I was still trying to protect
2 him. So I wasn't really trying to -- yeah, I wasn't
3 really trying to get him in trouble.

4 Q. You're admitting that you said that, but you said
5 it because you were trying to protect Mr. Grant?

6 A. Yes.

7 Q. Can I have it back, please? Thank you.

8 (Mr. Wendt returns to counsel table.)

9 MR. WENDT: I have no further questions, Your
10 Honor.

11 THE COURT: What's the government's position?

12 MR. REARDON: Your Honor, can I ask for a
13 ten-minute break, one to allow the witness to get some
14 water, but two to pull the report from my files that
15 Mr. Grant --

16 THE COURT: Okay. We'll take a 15-minute
17 recess.

18 MR. REARDON: Thank you, Your Honor.

19 DEPUTY CLERK: All rise. This matter now
20 stands in recess for 15 minutes.

21 (Recessed from 9:49 a.m. to 10:08 a.m.)

22 DEPUTY CLERK: His Honor, the Court, the United
23 States District Court is again in session.

24 Please be seated.

25 THE COURT: Okay. Redirect?

1 MR. REARDON: Yes, Your Honor. May I approach?

2 THE COURT: Yes.

3 (Mr. Reardon approaches the witness.)

4 MR. REARDON: Your Honor, I have provided the
5 witness a copy of the police report that was provided to
6 her by Mr. Wendt on cross examination.

7 REDIRECT EXAMINATION

8 BY MR. REARDON:

9 Q. And that is report 1849717, Supplement 9.

10 Do you have that there, Ms. Banks?

11 A. Yes.

12 Q. And can I direct your attention to the second
13 page and specifically the paragraph that Mr. Wendt asked
14 you about? Put a Post-it Note on there to mark it. Do
15 you see it?

16 A. Yes.

17 Q. Okay. Mr. Wendt asked you about the third full
18 sentence in the second line, she denied -- "In which she
19 denied having to give Grant money."

20 Do you remember that question?

21 A. Yes.

22 Q. What does the rest of that sentence say?

23 MR. WENDT: I object, Your Honor. I think it's
24 being used to refresh her memory, not to just read
25 directly from the police report.

1 THE COURT: Very well.

2 BY MR. REARDON:

3 Q. Do you remember on that day giving a statement to
4 the police?

5 A. Yes.

6 Q. And this is the day you were shot, correct?

7 A. Yes.

8 Q. And in that statement, did you make some comment
9 about denying that the defendant was your pimp -- I'm
10 sorry, denying that you gave him money?

11 A. Yes.

12 Q. Did you say anything else about things that you
13 got him or gave to him?

14 A. Yes.

15 Q. What did you say?

16 A. I said that, like, I would buy him clothes or
17 like, drugs or like anything else that he asked for,
18 like cars.

19 Q. And did you do those things?

20 A. Yes.

21 Q. Did you buy him drugs and clothes and cars?

22 A. Yes.

23 Q. Was your statement at that time complete? Were
24 you truthful about the money part?

25 A. I would say vaguely. I didn't want to tell the

1 detective a lot because I still was trying to protect
2 him.

3 Q. Why were you trying to protect him?

4 A. Because I was still in the mindset that
5 everything was my fault. And then, plus, I didn't want
6 him to find out what I was saying and then, like, pretty
7 much come and, like, finish me off, I guess.

8 Q. During that statement, did you make any comments
9 about the defendant's involvement with minors? Do you
10 remember?

11 A. Yes.

12 Q. And what did you say at that time, on
13 December 12th, about the defendant's involvement with
14 minors?

15 A. Well, I said, like, he engaged in a lot of
16 activities with minor girls. I referenced some of my
17 friends, and then said, like, he was pimping a few of
18 them out, making sex videos with them, fraudulent IDs
19 and credit cards.

20 Q. Do you recall if on the 12th you specifically
21 mentioned JS?

22 A. Yes.

23 Q. Do you recall if on the 12th you specifically
24 mentioned Silky?

25 A. Yes.

1 Q. Do you have a copy of the other statement that
2 Mr. Wendt showed you, the report of an interview from
3 January of 2019?

4 A. Yes.

5 Q. And specifically you were asked about whether you
6 told Silky to lie about her age, and there were seven
7 words that Mr. Wendt wanted you to look at. Do you
8 remember that?

9 A. Yes.

10 Q. Was there more to that statement than what was
11 asked about, meaning, why did you tell her to lie about
12 her age?

13 A. Because I didn't want, like, my neighbors or
14 anybody else, like, preying on her and, like, harassing
15 her if they find out she was young, because my neighbor
16 was weird.

17 Q. But the issue of her age as it concerned the
18 defendant was something that had been openly discussed
19 prior to her arrival at your apartment?

20 A. Yes.

21 Q. Had you discussed it with JS prior to her
22 arrival?

23 A. Yes.

24 Q. And what was that conversation like?

25 A. It was JS saying that her friend is in trouble,

1 she needed somewhere to stay. And I wanted to get some
2 background information about who the girl was, and so I
3 said, like, you know, where did you know her from, how
4 old is she. And she told me she's 15 and I know her
5 from McLaughlin, she'll only be here for a few days. I
6 was like, okay, well, she can stay however long she
7 wants.

8 Q. And was the defendant present in your apartment
9 during that conversation?

10 A. He was on the couch, on his phone.

11 Q. Can you describe your apartment, briefly? How
12 big was it?

13 A. I would say like -- well, like that chair to,
14 like, cut off of this booth, like over there. So this
15 is like the living room right here. And it's like a
16 narrow hallway, you guys's desk. And there's a bathroom
17 and then there's my room, then theres' a closet. So
18 it's kind of small. And there's a little kitchen over
19 there.

20 Q. One bedroom and one bath?

21 A. Yeah.

22 Q. So not a lot of room to find privacy if you
23 needed it?

24 A. No, unless you go in my room and lock the door.
25 There's one closet.

1 Q. You had described, in response to a question from
2 Mr. Wendt, about prior pimps that you have had. Do you
3 remember that question?

4 A. Yes.

5 Q. And specifically, you had made mention of
6 previously having been involved in a pimp and you were
7 one of five members of the family?

8 A. Huh?

9 Q. You were one of five girls who were part of that
10 family?

11 A. Yes.

12 Q. Describe what that pimp was like.

13 A. I mean, he was very assertive with, like,
14 whatever he wanted. We had to make money. He was
15 really physically abusive. If you didn't make a certain
16 amount of money, like, you would get hit or, like, shot
17 up with paint ball guns while you're out there. He was
18 very derogatory with his nature about everything. We
19 were only allowed to, like, sleep in the garage and just
20 like almost treated like cattle.

21 Q. And how old were you then?

22 A. I was 16.

23 Q. Okay. And then you also described -- well, have
24 you had other pimps that were not that way, that were
25 what you would term a finesse pimp?

1 A. Before I came -- before I came back to Alaska?

2 Q. Well, you had mentioned having a number of men
3 who had pimped you out.

4 A. Yeah.

5 Q. And specifically, there was one you described
6 that you were part of a group of five girls.

7 A. Uh-huh.

8 Q. Were there other groups of smaller numbers of
9 girls, two or three?

10 A. Yes.

11 Q. What were those pimps like when you were part of
12 a smaller group?

13 A. They weren't so, like, abrasive and, like, mean,
14 but they still had the same tone of what they expected,
15 and they were big about treating their bottom bitches
16 with, like, royalty, like they don't have to work a
17 certain amount of days, but we do. Kind of like they
18 were just -- they weren't like gorilla pimps. They
19 weren't on you, but still refresh your memory, like you
20 need to go out and make money.

21 Q. Okay. Well, let me ask you about those pimps.
22 Would they set a quota for you?

23 A. No. They just expected you to go out and make
24 money. You can't come in with like \$200.

25 Q. So you were expected to make a certain amount of

1 money?

2 A. Yeah, but they never said, "I want you to make
3 this amount of money." It was, "This isn't enough, you
4 need to go back out."

5 Q. Were they pushing you to do dates?

6 A. Yes.

7 Q. Were these street dates at the time?

8 A. Yes.

9 Q. So they were pushing you to meet customers?

10 A. Yes.

11 Q. And all of the money that you made from those
12 dates, were you expected to give most or all of it to
13 the pimp?

14 A. Yeah, all of it.

15 Q. The defendant had an expectation for how much
16 money you were supposed to make every day, didn't he?

17 A. Yes.

18 Q. What about pushing you to post ads?

19 A. Yes, he did that.

20 Q. What about as it concerned JS and KC, do you
21 recall him ever pushing you to post ads for them?

22 A. Yes.

23 Q. What about the money that was earned from the
24 dates you did? Was there an expectation you would give
25 some of it to the defendant?

1 A. Yes.

2 Q. What about the money that JS and KC made? Do you
3 know if there was an expectation to give it to the
4 defendant?

5 A. Yes.

6 Q. Since the time that the defendant shot you, he
7 went to jail immediately thereafter, correct?

8 A. Yeah, a few hours after.

9 Q. Has he ever contacted you from jail?

10 A. Yes.

11 Q. About this case?

12 A. Yes.

13 Q. Has he asked you to make statements in his
14 benefit about this case?

15 A. Yes.

16 Q. What has he asked you to do?

17 A. To, like, tell them that I did stuff, just tell
18 them that -- since my case is resolved, just tell them
19 that I pimped out my friends and I just lied on him
20 because I was scared of the investigating detective at
21 the time, to just say that I shot myself and everything
22 was a lie and that he didn't do anything.

23 Q. The things that he's asking you to say, are they
24 true?

25 A. No.

1 Q. Has he sent you letters in which he's asked you
2 to do anything on his behalf?

3 A. Yes.

4 Q. Have you at any point in time felt threatened?

5 A. Yes.

6 Q. By whom?

7 A. Tristan and, like, his friends.

8 Q. And what has happened that caused you to feel
9 threatened?

10 A. Like, while I was in jail, my sister was mistaken
11 for me. It was a friend -- friends and associates of
12 Tristan. And so, like, nine girls jumped my sister. I
13 had a boy shoot at my mom and little sister's house.

14 Q. And you viewed those as threats toward you?

15 A. Yes. Like, they made comments and then my older
16 sister -- and my sisters and my mom are not like
17 involved in the lifestyle at all. So there's absolutely
18 no reason for them to be, like, harassed or threatened
19 like that, or just almost, like, killed. And they would
20 make statements like, oh, she shouldn't go and testify
21 if she knows what's good for her.

22 MR. WENDT: I object, Your Honor. This is all
23 hearsay. I would like a foundation laid.

24 THE COURT: Sustained.

25 BY MR. REARDON:

1 Q. The question was, you view those as threats
2 toward you?

3 A. Yes.

4 Q. Immediately after the defendant went to jail in
5 December of 2018, did you get any phone calls or letters
6 from him in that period of time?

7 A. Yes.

8 Q. Did he ask you to do anything as it concerned any
9 of his property or social media accounts?

10 A. Yeah. He asked me to deactivate his Snapchat
11 account.

12 Q. And did he tell you why he wanted you to do that?

13 A. Yeah, because there was, like, a lot of stuff on
14 there that can get him in trouble.

15 Q. Did he mention specifically what any of that
16 stuff was?

17 A. I think he mentioned, like, there's, like, the
18 video clips, of course. He didn't, like, go into detail
19 besides saying just, like, get all of that shit off of
20 there, clips and stuff like that. I didn't delete the
21 actual videos. I just deactivated the account.

22 Q. And, again, which account was that?

23 A. His Snapchat, Gingerbread Man account.

24 Q. If I could have just a moment, Your Honor.

25 THE COURT: Very well.

1 (Pause.)

2 MR. REARDON: I have no further questions, Your
3 Honor?

4 THE COURT: Recross?

5 MR. WENDT: Yes, briefly, Your Honor.

6 RECROSS EXAMINATION

7 BY MR. WENDT:

8 Q. Ms. Banks, you say the defendant sent you letters
9 asking for your assistance in this case?

10 A. Yes.

11 Q. Okay. And how many letters?

12 A. I think he sent like, not including the ones that
13 were seized by the government before I even got a chance
14 to see them. The ones that came to my possession, there
15 had to at least be, like, 10 to 11 letters, or maybe 12.

16 Q. Ten to eleven letters, not including the ones
17 that were seized. So there were 10 to 11 letters that
18 were not seized?

19 A. Yeah. When I went to Wildwood, he managed to be
20 able to get letters to me over there.

21 Q. And what were the letters that were seized, the
22 ones that went to Wildwood or someplace else?

23 A. When I was at Hiland, as soon as I got there,
24 they had a no contact order that was issued between me
25 and him. So everything that he sent me was

1 automatically seized. I never got a chance to see it.
2 When I got transferred to Wildwood, they didn't have
3 that order, so his letters came to me.

4 Q. So the ones that were sent to Hiland were seized
5 and you never got a chance to see them?

6 A. No. I got a chance to see two, and I freaked out
7 and gave it to the social worker. That's when she
8 brought it to the attention of, like, my attorney.

9 Q. So two letters that were sent to Hiland did come
10 to you, and you gave them to your attorney?

11 A. Yes.

12 Q. And in those letters he asked for your help in
13 this case?

14 A. Not like right off the bat. But, I mean, he was
15 pretty much taking the victim stance, like asking me why
16 am I going to bury him for the government, they're not
17 trying to help me, just like manipulation and mind games
18 and stuff like that. And, yeah, just saying, like,
19 everything was my fault and am I happy now, like that.
20 He didn't get more into the, oh, you need to do this,
21 this, this until I made it to Wildwood.

22 Q. Okay. And those letters at Wildwood, there were
23 10 to 11 letters that you received in Wildwood?

24 A. Yes.

25 Q. What did you do with those letters?

1 A. Well, one, I kind of felt bad. So, like, I
2 responded to him because I'm like, he keeps sending
3 letters and it's just rude to ignore somebody. So I
4 just responded with the hopes that he would just like
5 think about his case and, like, see maybe he's not
6 taking the best route. But then I just stopped
7 responding because my attorney was like, that could get
8 me in trouble even though, like, Wildwood is not
9 informed we have a no contact order. So I just stopped
10 all communication and just started checking the letters
11 and making copies for myself and sending the originals
12 to my attorney.

13 Q. So the majority of these letters that were sent
14 to you in Wildwood were given to your attorney?

15 A. Yeah. They were given to me and then I gave them
16 to my attorney.

17 Q. They should be available somehow now?

18 A. Yeah. I mean, I gave a whole fat envelope away,
19 so.

20 Q. And you mentioned phone calls as well. When were
21 the phone calls that you received from him?

22 A. They're not from him. You can't call each other.

23 Q. I know, if you're in jail. So what were the
24 circumstances?

25 A. We have a daughter together, so we have an OCS

1 custody battle going on right now. So when we are both
2 on telephonic court hearings, that's when communication
3 starts where I'm directly speaking to him and he's
4 saying like -- pretty much still trying to use his charm
5 to get his way. And then finally I just had enough of
6 it and we had a really big argument over the phone.

7 Q. Okay. But when you say "using his charm to get
8 his way," and he's in court and you're having a
9 conversation in court, are you saying that he's trying
10 to lie or make up stories in this case during those
11 conversations?

12 A. Well, he's not directly saying that. My attorney
13 is on the phone, as well my OCS attorney. That wouldn't
14 be smart. He's saying, like, oh, did you get my letter,
15 did you see what I said, like reference to his letter
16 that I have not responded to where he's telling me, oh,
17 call and do this and do this and that. It's just like,
18 yeah, stuff like that.

19 Q. Who was your OCS attorney?

20 A. I had two I had Paul Tony, and then this new one
21 is Olivia Mackin.

22 Q. And which one of those attorneys would be present
23 when you were having conversations with Tristan?

24 A. They were both present. When Paul was my
25 attorney, he was always there present, and now Olivia is

1 my attorney, so she's always present.

2 Q. On redirect, you spoke about problems that your
3 sister had and I think problems that your mother had
4 regarding this case. Is that right?

5 A. Yes.

6 Q. And you've said many times prior to this that you
7 live in a bad neighborhood; is that right?

8 A. Well, when I was out, I was living in a bad
9 neighborhood. But my mom and sisters don't.

10 Q. Oh, okay. All right.

11 MR. WENDT: Those are the only questions I
12 have.

13 THE COURT: All right. Thank you very much.

14 Ma'am, you're excused.

15 (Witness excused)

16 (Requested excerpt concluded, proceedings
17 continued.)

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1 CERTIFICATE

2 I, Sonja L. Reeves, Federal Official Court Reporter
3 in and for the United States District Court of the
4 District of Alaska, do hereby certify that the foregoing
5 transcript is a true and accurate transcript from the
6 original stenographic record in the above-entitled
7 matter and that the transcript page format is in
8 conformance with the regulations of the Judicial
9 Conference of the United States.

10 Dated this 18th day of April, 2021.

11 /s/ Sonja L. Reeves
12 SONJA L. REEVES, RMR-CRR
13 FEDERAL OFFICIAL COURT REPORTER
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